

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

08-CR-69S(Sr)

RAYMOND HODNETT,

Defendant.

DECISION AND ORDER

This case was referred to the undersigned by the Hon. William M. Skretny, in accordance with 28 U.S.C. § 636(b)(1), for all pretrial matters and to hear and report upon dispositive motions. Dkt. #60.

Before the Court is defendant Raymond Hodnett's Notice to Join Motion wherein he seeks to join in the motion for suppression and discovery filed by defendant Quentin Leeper's attorney (Dkt. #114). Dkt. #123. The motion for suppression of the evidence obtained pursuant to an electronic eavesdropping warrant filed by defendant Quentin Leeper was the subject of a separate Report, Recommendation and Order filed on August 12, 2009. Dkt. #160. Quentin Leeper's motion for discovery will be the subject of a separate Decision and Order. The government has filed a consolidated response to all of the pending motions, including the above-described Notice to Join Motion by defendant Raymond Hodnett. Dkt. #132.

Defendant Raymond Hodnett's Notice to Join Motion seeking to join in the motion filed on behalf of Quentin Leeper (Dkt. #114) is GRANTED with the further directive and finding that the decisions made by this Court as to each of the co-defendant's requests contained in the motion in which this defendant joins shall also be deemed to be the finding and Order of this Court as to the defendant herein.

The Government's Reciprocal Fed. R. Crim. P. 16(b) Request

The government has requested that the defendant permit it to inspect and copy various books, records, papers, documents, photographs and other tangible objects, including reports of physical or mental examinations and of scientific tests or experiments, within the possession or control of the defendant which the defendant intends to introduce as evidence in chief at the trial along with written summaries of expert witnesses' testimony that the defendant intends to use. Since the defendant has moved pursuant to Rule 16(a)(1) of the Federal Rules of Criminal Procedure for similar materials and information, the government is entitled to this information pursuant to Rule 16(b)(1) and its request is GRANTED.

DATED: Buffalo, New York
September 2, 2009

s/ H. Kenneth Schroeder, Jr.
H. KENNETH SCHROEDER, JR.
United States Magistrate Judge